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GIRL CHILD BLOOD COMPENSATION PRACTICE AMONG THE LOTUKO IN EASTERN EQUATORIA STATE

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SOUTH SUDAN WOMEN'S RESEARCH NETWORK

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This report is a product of the EU funded South Sudan Women's Research Network (SSWRN), which provides research grants, training and mentorship to early career female researchers in South Sudan. The project aims to ensure that women's perspectives are included in the research and decision-making on development issues in the country.

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CONTENTS

Introduction	5
Blood compensation practices	7
Why girls?	11
Impact of GCBC	12
Efforts to address GCBC	15
Opportunities for change?	16
Conclusion	18
Annex 1	20

INTRODUCTION

Girls and women in South Sudan face numerous barriers and challenges: customary law often denies women the right to own land, girls' access to education remains precarious and harmful traditional practices continue to place women and girls at risk of gender-based sexual violence. In South Sudan the traditional practice of blood compensation for murder is used by many communities as part of the reconciliation process between families and communities. The legality of the practice, which is often adjudicated through the chiefs' court system, has been questioned with one former high court judge, Dr. Geri Raimondo, who claimed that "The law is clear: any murder case is considered in the High Court, and any murder case that is decided out of the High Court is not considered, and that court does not have jurisdiction, even in the reconciliation process".¹ One of the more harmful forms of blood compensation is girl child blood compensation (GCBC), which is practiced by the Lotuko community in Eastern Equatoria. This is where, in the name of justice, a girl from the killer's family is given to the victim's family as compensation to prevent revenge killing and support peaceful coexistence among communities. The practice has shaped the lives, beliefs and dreams of many men and women in the Lotuko community, and although the UN and NGOs see it as a harmful traditional practice affecting girls, it remains under-researched and not well understood.

To address this gap, research on the practice was conducted with the Lotuko community. The research was guided by the following question: does girl child blood compensation always entail justice to the different groups of people affected by it? It seeks to understand, and subsequently highlight, the impact the practice has on affected girls, increase awareness amongst the community on how the practice negatively affects women and girls and seeks to contribute to reducing its prevalence. The research explored the practice, seeking to shed light on its hidden aspects, and provide evidence that can be used by the community, government and other stakeholders to end it. The research focused on three areas:

- How the Lotuko community's practice of blood compensation for murder, which focuses on the girl child, compares with blood compensation in other communities in South Sudan.
- What is being done by the community and non-governmental organizations (NGOs) to challenge the practice.

1 Michael Daniel, 'Veteran judge criticizes blood compensation practice, says its illegal', *Eye Radio*, 20 October 2023. <https://www.eyeradio.org/veteran-judge-criticizes-blood-compensation-practice-says-its-illegal/>.

- The challenges faced when trying to change cultural practices, such as girl child blood compensation.

A literature review found there is limited in-depth primary research available on the practice. To address this gap, the research focused on primary data collection, using qualitative methods such as the Oral History Interviewing Technique. It gathered firsthand information from community members who participated in it, as well as those who opposed to it, supplemented by secondary data gathered during the literature review. This approach was chosen because of the sensitivity of the topic being researched and to safeguard the identity of the participants. Interviews with participants were guided by a set of 14 questions, sub-divided in to five (5) categories, which can be found in **Annex 1**.

Given the risk of re-traumatizing victims, there were no interviews conducted with victims of GCBC. At least four sample categories of participants were interviewed, namely representative(s) of the family(ies) of the deceased and their killers, traditional or cultural leaders, including from the Munyumiji, Directors of women-led civil society organizations, and state level government representatives (Minister of Culture, Youth and Sports in Eastern Equatoria).

The researcher traveled to the community to conduct in-person interviews, while secondary data was sourced from reports, books, journals and other documents from local and international organisations, as well as credible websites on Google Scholar. Discourse and thematic analysis were based on language, images, and observation and involved coding all data and reviewing main themes. Each theme was examined to gain a better understanding of participants' perceptions of and motivations for the practice. The field work was conducted over a period of five months in Central and Eastern Equatoria states, and all interviews were recorded and later transcribed. Data was also recorded by note taking and photography.

BLOOD COMPENSATION PRACTICES

The practice of blood compensation can be found across South Sudan as ‘payment’ for the loss of life due to the shedding of blood. It has been described as a “traditional and deeply cultural approach to justice”², and the form it takes depends on the community. For example, among the Dinka, cattle are provided as compensation to the families of those who have been killed. As noted by Naomi Pendle, ‘for centuries, local authorities among the western Dinka have used cattle compensation (puk) as a socio legal tool to peacefully satisfy peoples’ spiritual and moral demands after being aggrieved by lethal violence against their family.’³ The research also found examples where communities who have not traditionally practiced GCBC are adopting it, with one Acholi interviewee noting that some of her community have taken it up, despite the fact that this is not a traditional Acholi practice.⁴ In the Azande kingdom, where the researcher hails from, kings and nobles would occasionally give wives to reward their retainers, warriors and courtiers. Apart from the prisoners of war, some women and girls were also those who had been ‘paid’ as fines or seized from the homes of men who had incurred royal displeasure. A man could be killed or mutilated for adultery or for murder by witchcraft, but compensation in spears was accepted. It should be noted, however, that although the Azande did ‘give’ women, it was seen as a reward rather than compensation, and a woman being given to a king’s warrior was perceived as prestigious, not a punishment.⁵

The Lotuko’s form of blood compensation, however, involves handing over a girl child to the victim’s family as compensation, rather than cattle. In addition to the Lotuko, GCBC can also be found among other communities in Eastern Equatoria, such as the Logir, Lango, Didinga, Buya,

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- 2 Daniel Dickinson, ‘7-year-old girl in South Sudan unknowingly awaits blood compensation pact’, UNMISS, 28 March 2017. <https://reliefweb.int/report/south-sudan/7-year-old-girl-south-sudan-unknowingly-awaits-blood-compensation-pact#:~:text=South%20Sudan,-7%2Dyear%2Dold%20girl%20in%20South%20Sudan,unknowingly%20awaits%20blood%20compensation%20pact&text=Seven%2Dyear%2Dold%20Nancy%20does,her%20mother%20committed%20a%20crime>.
 - 3 Naomi Pendle “The Dead Are Just to Drink from”: Recycling Ideas of Revenge among the Western Dinka, South Sudan”, *Africa* 88/1 (2018): 99–121. <https://doi.org/10.1017/S0001972017000584>.
 - 4 FGD with 5 heads of women-led organisations, Torit town, 13 April 2023.
 - 5 E.E Evans-Pritchard, ‘Zande Blood-Brotherhood’, *Africa: Journal of the International African Institute* Vol 6/4 (Oct 1933): pp. 369-401. <https://www.jstor.org/stable/1155555>.

and Dongoton.⁶ The practice among the Lotuko was documented as early as 1918 by British colonial administrator Major Fitzroy Somerset, who described it as a 'blood fine' and noted that the pre-condition was the killing of a person, either by design or accident.⁷ Typically, the practice is used when a man kills another man and it is rare to hear of a girl being provided as compensation when a woman kills: children are considered part of their father's family and a Lotuko woman has no power to give her daughter away without the consent of the girl's father. This was confirmed by an interviewee who noted that 'I have not seen a woman killing and a girl is compensated'.⁸

It is a form of early and forced marriage and its continued use is reflective of the wider 'injustice and abuses that women and girls endure' in South Sudan.⁹ However, many in the Lotuko community see it as the only means of resolving tensions between families when someone is killed. Comments from Head Chief Benjamin Ohide in a 2014 news story provides insight into how it is viewed, describing it as '...a traditional practice believed to have healing and reconciliation powers' and when pressed for alternatives, he insisted that 'there is no other means of compensation...'¹⁰

The Lotuko use the term Adumarulo to describe the practice, but this only denotes the family's acceptance of responsibility for their relative's act, rather than the specific act of handing over a girl. It is believed that GCBC will bring peace to the community and prevent revenge killing, '... because if she is not compensated, the revenge killing will continue and the two families will not live in peace in that community'.¹¹ Cycles of revenge killings over intentional or accidental killings are common in South Sudan and if there is no reconciliation between the parties in conflict it can lead to significant loss of life, displacement, and the destruction of assets and infrastructure. The absence of a functioning statutory court system in many parts of South Sudan makes it difficult for aggrieved families to secure justice for their killed relative(s) through the formal court system. As a result, the traditional/chiefs' courts are often used to secure justice for the aggrieved party(ies) and prevent further killings. These courts use more traditional forms of justice, such as compensation, to settle cases and reconcile affected parties. While the authority of the traditional/chiefs' courts capacity to resolve such cases was recently questioned by a former High Court Judge, until there is a functioning statutory justice system at the local level in South Sudan, traditional/chiefs' courts will continue to be the main venue in

6 Interview with the female Director of a women-led organisation, Torit town, 13 April 2023.

7 Fitz R.R. Somerset, 'The Lotuko - Sudan Notes and records', Vol.1, No.3, July 1918: pp 157-158. <http://www.jstor.org/stable/41715878>.

8 FGD with 5 heads of women-led organisations, Torit town, 13 April 2023.

9 Dickson, '7-year-old girl'.

10 Okech Francis, 'South Sudan: When girls become blood money', *Anadolu Agency*, 28 October 2014. <https://www.aa.com.tr/en/life/south-sudan-when-girls-become-blood-money/106869#:~:text=When%20a%20person%20dies%20at,of%20the%20deceased%20in%20compensation&text=Growing%20oup%20a%20girl%20is,girls%20as%20commodities%20of%20sorts>.

11 Participant in FGD with Directors of women-led organizations, Torit, 14 April 2023.

which most South Sudanese seek justice.¹²

As demonstrated by Somerset's journals, the Lotuko's practice of GCBC is old, with one person noting that '...it was since memorial time by the way in our culture...'¹³ One of the interviewees, the director of a women led CSO, explained that the practice started...

...[a] long time ago among the Lotuko, a poor man killed a man accidentally while hunting. Then he was demanded for cows to pay in compensation. However, because he was poor, not having even one cow, he offered his young daughter in compensation for the person he had killed. The people in the community admired the idea and adopted it. They liked it so much so that even when a killer had enough cows to pay in compensation, the family of the deceased would always only demand for a girl child. So, this practice stuck with the community and became their norm till to date.¹⁴

Over time, it has been integrated into the belief system of the Lotuko and all Lotuko children, especially girls, whether living in Eastern Equatoria or elsewhere are aware that GCBC could affect them. They hear stories about girls who have gone through the practice and see how they are treated by the community, which was confirmed by an interviewee.

Yes, I grew up in Juba, not even in Juba but in Khartoum. But still, we are in touch with our people and following up anything regarding our communities even when some of us went to diaspora to Nairobi and others to UK... we are in touch with our communities, and we know what affects them.¹⁵

The rationale used to support the practice is the expectation that a living person who has been killed should be replaced by another living person. However, the type of compensation offered is often influenced by the gender of the person who had been killed and the gender of the person making the claim. For example, one interviewee recounted an incident where a woman's young daughter accidentally had gasoline poured on her and was burned to death. She refused compensation with cattle, arguing that the cow could not replace her daughter, as it would not be able to help with chores.¹⁶ In this case, the woman was forced to accept the cows as compensation, demonstrating a clear bias whereby a man would have received a girl in compensation, whereas a woman's demand for the same was denied.

When resolving a death case using GCBC, the family of the deceased selects the girl they want

12 Michael Daniel (2023), 'Veteran judge criticizes blood compensation practice, says its illegal', 20 October, Eye Radio. https://www.eyeradio.org/veteran-judge-criticizes-blood-compensation-practice-says-its-illegal/#google_vignette.

13 Interview with female director of women-led organization, Torit, 13 April 2023.

14 Interview with female director of women-led organization, Torit, 13 April 2023.

15 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

16 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

from among the man's (killer's) daughters, if he has any. If the killer has no daughters then he must ask distant relatives to provide a daughter, which can allow the killer's family more say in which girl is given as compensation. The minor girl is initially told that she will become a member of a new family and is considered one of their children. As she grows up, however, one of the men in that family who she has known as her father or uncle may now decide to take her as his wife.

In cases where no compensation has been discussed and the bereaved family wishes to avenge itself, they choose the victim for revenge killing – which is usually the highest earner in the family whether male or female, but more often than not, is a man. This reflects the belief that the death of the person targeted for revenge killing should hurt the family and cause real loss (financial, emotional, etc.).

Compensation is used to satisfy the grieving party while also offering some kind of security to the killer and his family, as well as keeping the perpetrator out of prison. The question is however, is justice served by this exchange, and is there really satisfaction on both sides?

WHY GIRLS?

Providing girls as compensation, rather than boys, reflects the belief that the man who was killed needs to be ‘replaced’, and his name and lineage need to be continued. Like other South Sudanese communities, among the Lotuko membership in a clan or lineage is passed down through the male line, so the girl’s future children will be seen by her ‘new’ family as the children of the deceased and would provide them with benefits similar to what the deceased would have. There is a preference for younger girls as compensation, however, if there are no young minor girls in the family, a young woman may be given instead. This preference for young girls, rather than a woman, is based on the belief that it will be easier to integrate young girl into her new lineage’s culture than an older girl or woman. The girl will usually be married to a member of her new family so she may have children in the name of the deceased, however, there are instances where she is married to someone wealthy from outside the family: the bride price paid is then used to bring another girl into the family.

Some of those interviewed suggested that boys are sometimes also given in compensation, however, none could site an example. Girls are believed to have milder spirits than boys and therefore, will more easily integrate into the new family. In addition, there were also reports of taboos around using a boy as compensation, such as the fear that the boy may be a replica of his father or uncle who killed the family member and he may kill other family members in his new home, as noted by an interviewee, ‘...They say that girls they are peaceful but if you compensate a man or a boy, this boy will continue the what? The killing and there will be no peace in the family; it will continue bringing conflict’.¹⁷ In addition, as clan membership passes through the male line, any children fathered by a boy given in compensation will not be considered part of the clan of the deceased. Instead, they would belong to the clan of the boy’s birth father and could multiply the ‘bad blood’ of killer’s family within the new family. Finally, as young men are expected to pay bride wealth when marrying, if the boy wants to get married, the family will have to pay his bride wealth, which represents a loss of wealth for the family.

17 Interview with female head of women-led organization and mother of a killer, Torit, 13 April 2023.

IMPACT OF GCBC

The impact of GCBC on the affected girl is substantial and lifelong, and it also leaves a lasting impression on her friends and relatives as well. When a girl is selected to be given in compensation, her consent or willingness is not sought, and her wishes and dreams are not considered. During one interview, the interviewee narrated the experience of her friend/family member, who she knew personally.¹⁸ She highlighted that the victim's education, which was promising, was cut short and she was taken to an unknown and unexpected place. This memory has remained with her for over 35 years.

...the incident [was] ... so bad because we were used to her, she's a relative, just imagine all of a sudden somebody, she was already going to her high school and just taken away from our side because her father killed somebody.¹⁹

Once a girl is handed over to her new family, and even if she is married off to a non-family member, she will remain a laborer in the family to which she was initially given. This in effect imposes a form of slavery on the girl, as she has no say in deciding her fate and will be expected to 'serve' her new family for the rest of her life.

So, they pay the girl or they compensate the dead person with this girl and now this girl will go and stay with that family until you are married, whether you will stay with one of the family members as your husband or you will marry another one if your family is good. But mostly if you are compensated, you are now there as their cook for these people.²⁰

The practice can be devastating to the victim herself, with one interviewee noting that '...some of them they say that I don't care now. They can end up committing suicide, ... even remain barren...'. It can also leave a lasting impact on other young girls in the community, who fear they could share a similar fate as their family member or friends. This can lead to girls limiting their aspirations, fearing their dreams might be curtailed by the practice, or inspire some girls to become ardent fighters for the rights of girls so that they do not suffer the same fate.

In cases where there is no unmarried minor girl available for compensation, a married girl (under

18 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

19 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

20 Interview with female head of women-led organization and mother of a killer, Torit, 13 April 2023.

18) or woman will be recalled from her marriage to be given in compensation. An example of a married woman being given in compensation was provided by one of the interviewees, 'She was already married to one of the medical doctors, the marriage had to break because the brother killed a young gentleman... They came for holidays. So, this lady, they have to break the marriage then she was compensated to the family'.²¹ In extreme circumstances, if the married girl or woman has a daughter both the mother and daughter will be given in compensation. Furthermore, a pregnant girl from the killer's family can also be given in compensation, and if the child is a girl, she will also be given in compensation, while a boy will be returned to the girl's family. The level of compensation provided is decided by the number of people who have been killed, with the expectation that for each person killed, a girl will be provided.

The girl is not the only victim of the practice, her mother should also be seen as a victim, as among the Lotuko, women have no right to take part in decision-making that affects their children in this way. These decisions are made by the men in the family, such as the father, uncles (mainly paternal uncles), brothers, male cousins and other male family members who might have influence and power. Furthermore, as the relationship between the compensated girl and her original biological family is completely severed, the mother loses any future support she might have received from her daughter if she became educated or married a rich man and is unable to claim any children her daughter has as her grandchildren.

Just imagine...you have 2 children ...a son and a girl. Then somebody, may be their father or their uncle, brother to their father, or even one of his sons...maybe kills somebody, and your innocent child, the girl one is taken to be paid (le ahal ta nas al katulu de) because ... people say they don't want any other payment in form of cattle.

Women are not completely powerless against or accepting of the practice, however, and there were cases reported where a mother abandoned her marriage and ran away with her daughters to avoid them being provided as compensation. Examples from interviewees included where a woman fled to Kakuma Refugee Camp in northern Kenya with her three daughters and never returned to her marriage, and cases of other women who fled with their daughters out of the country, only returning when their daughters were older and married off.

In addition to the girl and her mother, another victim is the deceased's male family member (usually his brother) who is expected to be responsible for caring for, training and ultimately having children with the compensated girl, whether he agrees or not.²² How the girl is treated, whether or not she or her children are educated, and all other aspects of her life are at the discretion of the man to whom she is handed over. Furthermore, as the girl is often seen as 'property', if one man grows tired of her, she can be married off to another man. Similar to when the earlier decision was made to hand the girl over as compensation, the girl has no say in her

21 Interview with female youth from a GCBC practicing community and head of a CSO, Torit, 2023.

22 Interview with man who is married to a girl he was forced by his family to accept in compensation, Torit, 14 April 2023.

fate, and her preferences are rarely, if ever, considered.

The attitudes of a girl's new family can be shocking and she can be repeatedly victimized and ill-treated, '... they don't have voice, sometimes they can be beaten, if they don't produce a child, they will say now you are useless in our family, because may be their father or their brother killed someone, but they compensate you but still you are not producing for us children'.²³

When a girl is given in compensation, she becomes lost to her birth family and her departure is treated as if she has died. This rejection can, understandably, lead to loneliness, sadness and suicidal feelings. Some girls run away, preferring to face an uncertain future in a refugee camp, such as Kakuma, rather than being given in compensation. Other girls become hostile to their new family, particularly if they are mistreated. Unfortunately, all girls, regardless of whether or not they remain within their new family or run away, are unable to seek or secure the support of their birth family, who often characterize those girls who refuse to acquiesce as stubborn or rebellious and accuse them of causing the family more problems. In addition, girls who have been compensated are often stigmatized by their new community, who see the girl as carrying death with her and coming from a family of killers. This social ostracization often leaves girls isolated and with no one to turn to for support, particularly if they are also mistreated by their new family.

An illustration of the long-term impact on women is the story of a young woman who participated in a focus group discussion. As a teenager, she escaped her 'new' family, fled to Kakuma refugee camp and tried to rejoin her birth family after three years. Unfortunately, they mistreated, beat and rejected her, as they blamed her for refusing to be compensated. She later ran away, eloping with a young man and having two children with him. Unfortunately, he also turned violent against her, and she had no family to call on to challenge his behaviour.²⁴

The family of the deceased selects the girl that they want in compensation, and they normally want the 'best' girl in the family, for example, one who is doing well in school. This does not mean that the girl's new family will allow her to continue her education, however, rather her selection reflects the deceased family's desire for revenge and to ensure that she will bring no benefits to her biological family, as recounted by an interviewee below,

They just wanted to spoil her school, her education. Because the father had even other children from other women, but they insisted they wanted that child. So, the child was paid, ok they didn't take her as a wife, but they just left her there until she got married to someone... they recovered cattle from there... it was another way of depriving her... of her education because she was intelligent.²⁵

23 Interview with female youth from a GCBC practicing community and head of a CSO, Torit, 2023.

24 GCBC survivor, FGD participant, Juba, 27 November 2023.

25 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

EFFORTS TO ADDRESS GCBC

There are some girls who have been rescued and now have a chance at normal life, including having their own families. These efforts are led by civil society organizations, such as the ITWAK Women Empowerment, the Women Initiative for Humanitarian and Development Organisation (WIHDO), the umbrella organization, Women-led Organisations, Eastern Equatoria State (WLOEES). They provided the researcher with the story of a seven-year-old girl they found from Piala payam in Torit County who had been compensated to another family.

...when we came to Torit County we found a girl of seven years... was compensated so we went and intervened, we talked to the owners who received this girl that this is not acceptable under human rights, this child is an innocent child...she has to be back to the parents; yeah, she is not the killer. So, we also managed to talk to her relative, to the uncle. So, the two families we brought them together, and they accepted, and they started giving heads of cattle.²⁶

The research found a variety of opinions and knowledge amongst the Lotuko on the practice. This was often dependent on whether or not people were aware of or had first-hand knowledge of the practice. Despite the evidence gathered that the practice continues to be used, there were some interviewed who said it was extinct. Due to improved access to the statutory justice system in urban areas, it is less common to find it in towns and cities, as it is often not condoned or accepted. In the rural areas, however, where there is more reliance on the chiefs' courts and customary law, it is more likely to be used as an acceptable approach to achieving justice and resolving conflict between families where a male member is killed by the male member of another.

The South Sudanese statutory laws are clear: the chiefs courts have no jurisdiction over capital crimes (i.e., murder) and South Sudan's transitional constitution includes a Bill of Rights that covers every citizen. Furthermore, during an interview with the Eastern Equatoria state Minister of Culture, Youth and Sports, she made it clear that the government does not support the practice of girl child blood compensation. Finally, South Sudan also has laws about gender-based violence and the legal age of marriage in South Sudan is 18, with no legal exceptions provided. It is not the lack of laws that allow the practice to continue, but rather the lack of social and political will to end a practice that is harmful to girls and reduces them to chattel that is 'owned' by their family (birth or new).

26 Interview with female youth from a GCBC practicing community and head of a CSO, Torit, 2023.

OPPORTUNITIES FOR CHANGE?

Preventing gender-based violence and protecting girls from harmful traditional practices can be done in a number of ways: improving girls access to education, raising awareness in communities on the negative impact the practice has on girls, and the community as a whole, and encouraging communities to find other means (such as cattle or money) of compensating the family of someone who has been killed.

The views amongst people from communities who practice GCBC are changing. Awareness raising has helped the community to see that although the practice can help to reconcile families, it does immeasurable harm not only to the girl child affected, but other girls in the community who fear the same could happen to them. Given the widespread violence in South Sudan fostering peace and reconciliation, and preventing cycles of revenge killing, is important, but this cannot be achieved by sacrificing girls and opening them up to a potential life of mistreatment and misery. Efforts to change community attitudes by organisations such as the ITWAK Women Empowerment Organisation, Support Women Initiative Progress Organisation (SWIPO) and the Christian Vision Organisation (CVO) are having some positive impact, as noted during an interview with one director, 'In 2015 we went for fact finding on the issue of Girl Child Blood Compensation in Torit-county and in Budi. In Budi... because of awareness, they are now trying to leave it [GCBC]'.²⁷

Paradoxically, the availability of small arms and the increase in killings has led to increased awareness of the practice, as more families are asked to hand over their daughters in compensation. That, combined with increased awareness of how it harms girls has led to the practice increasingly being questioned, particularly among elites who can be very influential, as explained during an interview with a member of the elite who is actively challenging the practice.

There are even girls that I recently rescued because of... then I was waiting for these people who want to be compensated ...in two incidences. But they knew the girl is already with me, so they could not even follow... ..and I was ready to do that because it's already been criminalized.²⁸

27 Interview with female youth from a GCBC practicing community and head of a CSO, Torit, 2023.

28 Interview with female UN national staff member from Torit, Juba, 24 November 2022.

Most promising are the efforts of community leaders to halt the practice. As a result of government efforts with local Lotuko chiefs, many are now working to discourage their communities from using GCBC to resolve murder cases, and instead are encouraging families to use other forms of compensation, such as cattle or money.

For girls who want to avoid being given to another family as compensation, it is challenging to find safe havens from their families or hosts. It is also hard for outside actors to intervene. According to the leader of a women-led organization in Torit, once the demand has been agreed upon by the parties, it becomes difficult to interfere and stop the process and direct intervention can lead to hostility. In such cases, social workers will usually monitor and observe the situation and watch how the girl is being treated from a distance. They also look for ways to talk to the girl in question, letting her know her rights and that she can seek refuge if she is being abused. This more hands off method is preferred where there could be hostility among parties to outside interference and has been found to be the most appropriate and safest approach, as it protects both the girl and individual who is trying to intervene. The capacity of social workers to monitor and intervene is affected by their limited access to transportation, or provide safe accommodation, health treatment or education to the girls they are working to rescue.

Rescued girls need proper facilities where they can live, get counseling and prepare girls for transition back into school, which unfortunately, are difficult to find in South Sudan at present. It is not possible to return the girl to her birth family, as the girl could easily be found, and the family would be obligated to hand her back. Another option, taking rescued girls to the police station, is only suitable as a temporary measure, as most police stations in Lotuko communities are not suited for girls to stay long term. Police stations might even end up being worse for girls, as most do not have the qualified social workers and facilities needed to sensitively and appropriately handle cases of girl child blood compensation.

CONCLUSION

The practice of blood compensation for killing is found across South Sudan, with the Lotuko community practicing a form for generations that is particularly harmful to young girls. Contrary to what members of the elite claim, the practice is well known in the Lotuko community. Even young girls are aware of it, and often have relatives who have been affected by it or have gone through it themselves. The practice harms girls by treating them a chattel, exposes them to early and forced marriage, and they often face stigma within their new families and communities.

Is girl child blood compensation still relevant today? A number of people interviewed for this research recognized that while the practice might be used to promote reconciliation between affected families, the harm it causes girls far outweighs any benefit it might bring to the community. If South Sudan is to live up to its commitments to end gender-based violence and eliminate early and forced marriage, influential members from the community, government officials and civil society organisations will need to double their efforts to end the practice. Prioritization should be given to raising awareness and challenging the practice, while also ensuring that girls who are being harmed by it are offered safe havens, access to counseling and opportunities to further their education.

RECOMMENDATIONS

- **Greater efforts are needed to end harmful traditional practices, such as girl child blood compensation:** The research found that while the practice of GCBC has deep cultural roots, one of the biggest barriers to ending the practice was community attitudes and the lack of justice available at the community level for capital crimes, such as murder. Reducing reliance on traditional forms of justice by improving the reach of the courts would significantly contribute to ending this practice.
- **Conduct comprehensive reform of South Sudan's laws on marriage, separation, divorce, and related matters.** Granting the same legal status to women to customary marriages as in civil marriages would allow girls or women a legal basis for asserting their rights within marriage. This would need to be done in collaboration with relevant government ministries and agencies, as well as the National Legislative Assembly. It will be important to draw on expertise from within and outside the country, as well as tap into the experiences of NGOs and civil society groups working on women's rights.
- **Develop and staff facilities that will provide girls affected by gender-based**

violence with a safe space to live and counseling to recover from their trauma.

These facilities should be close to the communities that practice girl child blood compensation, while still protecting girls from potential retaliation. In addition, there should be girl friendly units in police stations, and prisons, local chieftainships and hospitals where girls who have been subjected to any kind of abuse and assault can seek refuge and support.

- **Create awareness about negative impact of girl child blood compensation and encourage chiefs to lead their communities away from the practice.** Although the practice is intended to promote social cohesion, it also has a negative impact on the community, especially women and girls. It breaks up families and separates minors from their biological families. Chiefs are key influencers in their communities, and targeting them for awareness raising, as well as supporting their efforts to end the practice, could have a significant positive impact.
- **Set, and enforce, penalties and punishment for acts of violence against girls and women and ensure that women and girls who experience violence get the support they need to recover and rebuild their lives.** Often women and girls face intimidation or retribution if they refuse to take part in the practice, and they often do not have access to adequate legal, medical, and psycho-social services designed to support survivors of gender-based violence.
- **Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, referred to as the Maputo protocol.** Ensure that truth telling, reparations, and accountability processes in South Sudan for gross human rights violations and abuses effectively address the gendered causes and consequences of the conflict on women and girls.

ANNEX 1

RESEARCH – RIFT VALLEY INSTITUTE

INTRODUCTION

The project for this research is South Sudan Women Research Network, and the topic of the study is “*Girl Child Blood Compensation Among the Otuho Speaking community of Eastern Equatoria State*”, South Sudan.

BIODATA

- Where were you born?
- Where did you grow up?
- Please describe your childhood?

CONTEXT

Could you tell me what you know about girl child blood compensation?

1. Tell me about memorable events about your childhood.
2. Have you ever known any victim(s) of girl child blood compensation (a girl child been paid to relatives of deceased killed by the girls' relative?

Question for victims of girl child compensation

3. Describe a typical day in your new home/family?
4. When you were growing up, what did you and your friends think about Girl Child blood compensation?
5. How was it decided that you would be paid or married as part of blood compensation?
6. What were your first thoughts when you learnt that you would be paid or married as part of girl child blood compensation?

Questions to the leaders

7. What is the general feeling about of the present community members about this practice?
8. What is the position of the government authority in Torit area about this practice?

9. How has your opinion about this practice changed over time?
10. As a leader of the community, what advice would you give to your people about girl child blood compensation practice?

Questions for general interviewee

11. What are the benefits of this practice?
12. What are the negative impacts of this practice?
13. What do you remember about the stories of other women in your local area?
14. What have been the benefits and challenges for you?



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